REMARKS

Claims 1 and 3-6 are in the Application. By this Amendment, Claim 1 is amended, and Claims 2 and 7-9 are canceled.

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tamada (U.S. Patent 6,002,105) in view of Sway-Tin (U.S. Patent 5,568,052). The Examiner states that Tamada teaches the claimed subject matter except for the use of current maximum power available in the control scheme. The Examiner looks to Sway-Tin for the teaching of power sensing in a vehicle to aid in the control scheme. Applicants respectfully traverse this rejection and request that each of Claims 1 and 3-5 be reconsidered in view of the amendment of Claim 1 and passed to issue.

As amended, Claim 1 sets forth an electric heating device for a motor vehicle in which a heating element is provided with electrical energy by a regulating circuit capable of providing a continuously variable power level to said heating element. Neither Sway-Tin, nor Tamada, whether taken singly, or in a combination with each other, either teach or suggest a continuously variable power device for providing power to a heating element in a motor vehicle. Sway-Tin and Tamada teach devices which are little more than on/off switches mimicking crude manually controlled devices. Thus, Sway-Tin's load-shed relay 28 is an all-or-nothing device which cuts off non-critical devices if the traction batteries have insufficient charge; Sway-Tin teaches nothing about continuously variable load management to control power consumption of an accessory in a motor vehicle. As a result, Claims 1 and 3-5 should be passed to issue. Such action is earnestly solicited.

Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tamada in view of Sway-Tin, and further in view of Ohkuma (U.S. Patent 2001/0054608 A1). The Examiner states that Ohkuma teaches the use of Pi or PID control for temperature control in a vehicle. However, Ohkuma deals not with heating a passenger compartment, but with heating an engine control sensor. And, Ohkuma teaches nothing regarding the use of a regulating circuit responsive to a status signal related to a current maximum available power level of an electrical energy source. In short, neither Ohkuma, nor Tamada, nor Sway-Tin, whether taken singly, or in

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combination with each other, either teaches or suggests the invention recited in Claims 1 and 6, and Claim 6, too, should therefore be passed to issue. Such action is earnestly solicited.

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Dated : March 22, 2005

CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being sent via central fax # (703) 872-9306 to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23rd day of March, 2005.

Shirley L. Goodman

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